

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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RAMPARTS, INC., a Nevada Corporation,  
d/b/a Luxor Hotel and Casino,  
  
Plaintiff,  
  
vs.  
  
FIREMAN'S FUND INSURANCE  
COMPANY, a California Corporation; THE  
AMERICAN INSURANCE COMPANY, an  
unknown entity; and DOES 1–50, inclusive,  
  
Defendants.

Case No.: 2:09-cv-00371-RLH-LRL

**ORDER**

(Motion for Expenses–#70)


Before the Court is Plaintiff Ramparts, Inc.'s ("Luxor") **Motion for Expenses** (#70, filed ). Luxor brings this motion pursuant to Rule 37(c)(2) of the Federal Rules of Civil Procedure, which provides that if a party fails to admit a fact requested by the other party in a request for admission, the other party may be entitled to reasonable expenses, including attorney's fees, incurred in proving that fact. Luxor argues that Defendant American Insurance Company wrongfully denied Luxor's request for admission of certain facts during discovery, and that this denial forced Luxor to expend time and money establishing those facts.

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1                   However, as explained to the parties at Calendar Call on May 18, 2011, the Court  
2 will not consider any motion for attorney's fees until after trial. Therefore, the Court denies  
3 Luxor's motion as premature.

4                   Accordingly, and for good cause appearing,  
5                   IT IS HEREBY ORDERED that Luxor's Motion for Expenses (#70) is DENIED  
6 without prejudice.

7                   Dated: May 19, 2011

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10                  **ROGER L. HUNT**  
11                  **Chief United States District Judge**